



City of Annapolis

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Annapolis Environmental Commission

April 3, 2013

The Annapolis Environmental Commission (AEC) held its regular meeting on April 3, 2013 at 145 Gorman Street, Conference Room 3. **Chair** Weber called the meeting to order at 7:00p.m.

Present: **Chair** Weber, **Co-Vice Chair** Dr. Riegel, **Co-Vice Chair** Kissel, Dr. Patrick, O'Leary, Butler

Absent: Pogell, Zolper

Staff: Biba, Beard-Board Liaison

Guest: S. Weber, P. Murphy, T. McGranaghan

Ms. McGranaghan is interested in some of the agenda topics specifically the Milkshake Lane development and Forest Stand Delineation. She is planning to appeal the Milkshake Lane findings and would like guidance from the AEC on the process. Mr. Biba responded that the appeal must be made to DNEP which will send it to the Building Board of Appeals.

II. February 6, 2013 Meeting Minutes

Co-Vice Chair Kissel moved approval of the February 6, 2013 meeting minutes as amended. Dr. Patrick seconded the motion. The motion passed unanimously in a vote of 5-0. (Butler not present at vote)

March 6, 2013 Meeting Minutes

Co-Vice Chair Kissel moved approval of the March 6, 2013 meeting minutes as amended. **Co-Vice Chair** Dr. Riegel seconded the motion. The motion passed unanimously in a vote of 6-0.

III. **REGULAR BUSINESS BEFORE THE COMMISSION**

A. **Subcommittee Reports**

1. Development Review

Chair Weber moved this agenda item to Old Business Item B.

2. Recycling

Mr. O'Leary met with the owner of Mills Wine who generates significant amount of cardboard recycling. The establishment has a narrow alleyway so Mr. O'Leary explained that the owner asked if placing the cardboard in this alleyway would be a City violation. Ms. Beard responded that the cardboard must be tied together and not visible from the street.

3. Outreach

The newsletter was deployed on Tuesday, April 2, 2013 because of the late edits/submissions. The intent was to get the newsletter out prior to the stewardship workshop but this did not happen. Mr. Biba thanked Mr. O'Leary for providing him a copy of the newsletter and had edits on the Reserve at Quiet Waters update. Mr. Biba clarified that the Forest Conservation Act Working Group (FCAWG) is proposing a resolution to change Title 17 and Title 21 to refer authority to the Planning

Commission to review FCA projects. He agreed to provide Mr. O'Leary some suggested language to update the newsletter.

Solar City

Mr. O'Leary met with a Solar City representative to discuss installation of solar panels on his house and believes that solar panels are a very viable product for energy conservation.

4. Water Quality/Stormwater

Dr. Patrick is still waiting for the National Fish and Wildlife Federation (NFWF) to post the small watershed grant request for proposal that is scheduled to be posted on April 13, 2013. These grants are generally in the amount of \$20,000-\$200,000 for stormwater management, bioretention, or stream restoration projects. He would like to put together a proposal for a small project in Annapolis and have reviewed the 2009 Watershed Study and Action Plan for possible projects.

B. DNEP Report

Ms. Beard reported that DNEP is hosting the Arbor Day event on April 26, 2013 at 5:00-6:00pm at the Boys and Girls Club. DNEP sold 267 rain barrels, 132 compost bins, 109 trash totes, and 33 recycling totes at the Rain Barrel Sale. There has only been one permit application for backyard chickens. There were only 12 people to attend the stewardship certification program. She explained that there was a presentation by Galway Bay regarding the stewardship initiatives that they are implementing and encouraged the AEC to contact Anthony Clark for a copy. She further explained that the Galway Bay is considering a bottle crusher to improve their restaurant's recycling program and save space.

Chair Weber asked if the Board can help with encouraging participation. Ms. Beard believes that the biggest cost saving for businesses are energy conservation and educating their staff of such.

IV. OLD BUSINESS

A. AEC Vacancy Discussion

Chair Weber noted that Mr. Murphy submitted his application for membership. **Chair** Weber plans to meet with the Ms. Raftovich and Mayor Cohen to discuss the best approach for improving and speeding up filling the AEC vacancies.

B. Development Issues Discussion

Crystal Springs

Ms. Butler noted that the Crystal Spring FSD was approved by the City on March 21, 2013 without comments from the AEC. Mr. Biba responded that the AEC provided their comments to DNEP who in turn sent to the developer. **Co-Vice Chair** Kissel mentioned that he attended the Democratic Committee meeting and that when he questioned the Mayor's assumption that if the Crystal Springs project didn't go forward, that another development could come in that would be even worse for the environment by stating that DNEP had the broad authority to implement the FCA, to the point that the builder could be prohibited from disturbing any of the priority forest, the Mayor indicated that it was his opinion that the City did not have the authority to preserve the priority forest. **Co-Chair** Riegel also added that he attended the same Democratic District 30 meeting and heard the exchange regarding Crystal Spring. A short conversation ensued regarding the FCA's two step process for enforcement as well as what constitutes a "taking" with no resolution of the issues. P. Murphy indicated that it was a political issue. **Co-Vice Chair Kissel asked if all the conditions outlined for approval of the FSD were met.** Mr. Biba responded that there was an appeal filed so he has been instructed not to discuss the project. There was a brief discussion regarding the AEC's concerns regarding the contiguous forest.

Hayes

Mr. Biba reported that DNEP received response to their comment letter but has had no opportunity to review the responses.

Rodgers

Ms. Butler asked about the status of the Rodgers Property and Mr. Biba briefly discussed the status. Ms. Butler also asked about the Thomas Wood project which Mr. Biba described the location of this project.

Ms. Butler asked if DNEP can notify the AEC when FSD on project are received. Mr. Biba suggested that **Chair Weber** contact Ms. Broadbent to request updates.

C. TMDL Issues Discussion

Dr. Patrick explained that the AEC expressed interest in learning more about TMDL at the last meeting. He perused the City's 2009 Watershed Study and Action Plan (WSAP), the County TMDL and other documentation on the mass model to determine what it all meant. He explained that the WSAP summarizes the current state of the City's four major creeks, Back, College, Spa and Weems relative to water quality, impervious surface and tree coverage. The County TMDL discusses meeting the urban needs of the County. He explained that EPA divided the TMDL zone into five zones and Maryland further subdivided amongst the counties based on their watershed implementation plan. Mr. Biba explained that the County is under a Phase I NPDES permit which will have a new requirement for 20% reduction of impervious surface coverage. The City is under a Phase II NPDES permit which as of yet does not have a similar requirement. The NPDES permit reporting to MDE provides the vehicle for TMDL reporting under the WIP requirements. The City has its own Watershed Improvement Program (WIP) separate from the County's as do other county stakeholders like DOD (Ft. Meade, USNA, NSA), and the state (BWI, DNR, MDA, etc.), but all stakeholders report their TMDL reductions as a fraction of the county's requirement. In response to a question raised regarding the maintenance of these facilities, Mr. Biba responded that the legal agreement addresses this issue and that this will be handled by the Stormwater Management Engineer newly hired by the City. He noted that this newly hired person will review all the best management practices. He reported that the City has funding to do a watershed stream restoration project under the Capital Improvement Program (CIP) this year. DNEP has included \$400,000 (estimated costs from CBF) in the CIP for a stream restoration project near the headwaters of Spa Creek. He explained that the funding was broken out into design and construction accounts with a stipulation that funds can only be used after January 1, 2013 at which time only the design funds could be used.

D. Current and Potential City Legislation: EMC

V. NEW BUSINESS

A. Leaf Squad

Ms. Weber is participating on a project as part of the AACO Watershed Stewards Academy Capstone. She is currently working with four other individuals on a process to clean up the leaves from the sidewalk, streets and storm drains. She has identified the Acton Cove community for the project. Mr. Murphy suggested that she contact the Boys Scouts because they now have badge to do environmental projects. Ms. Beard suggested that she contact the Naval Academy midshipmen.

B. Solar Projects

Mr. Murphy noted that the Johnson Lumber Company is a LEED building that has no solar on it. He identified several other significant buildings i.e. churches on Bestgate Road, Germantown Elementary School that also do not include solar on the buildings. He is interested in putting together a group to access these businesses and educate them on the benefits/cost savings of installing solar in their buildings. The AEC believes this is a worthy project.

VIII. ADJOURNMENT

The next AEC meeting is scheduled for May 1, 2013 at 7:00pm at 145 Gorman Street. With there being no further business, Mr. O'Leary moved to adjourn the meeting at 9:00pm. **Co-Vice Chair Kissel** seconded the motion. The motion passed unanimously in a vote of 6-0.

Tami Hook, Recorder